1 2 3 4 5 6 UNITED STATES DISTRICT COURT EASTERN DISTRICT OF WASHINGTON 7 UNITED STATES OF AMERICA, 8 NO. CR-03-2183-EFS Plaintiff, 9 ORDER GRANTING DEFENDANT'S v. 10 MOTION TO DISMISS MARUICIO SILVA, 11 Defendant. 12 13 Before the Court is Defendant's Motion to Dismiss. (Ct. Rec. 82.) 14 On April 21, 2010, the Court granted the Government's motion to dismiss 15 without prejudice. (Ct. Rec. 81.) That motion did not specify whether it 16 was with or without prejudice. Defendant now moves the Court to dismiss 17 the indictment with prejudice. The Government does not oppose the motion. 18 (Ct. Rec. 86.) Leave of Court is given to dismiss the Indictment (Ct. 19 Rec. 34); the Court, however, makes no judgment as to the merit or wisdom 20 of this dismissal. 21 Accordingly, IT IS HEREBY ORDERED: 22 Defendant's Motion to Dismiss (Ct. Rec. 82) is GRANTED. 1. 23 2. The Indictment (Ct. Rec. 34) shall be DISMISSED WITH PREJUDICE. 24 3. All pending motions are **DENIED AS MOOT**. 25 26

ORDER ~ 1

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1	IT IS SO ORDERED. The District Court Executive is hereby directed
2	to enter this Order and furnish copies to counsel and the United States
3	Probation Office.
4	DATED this 17 <sup>th</sup> day of May 2010.
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6	S/ Edward F. Shea  EDWARD F. SHEA
7	United States District Judge
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